



California Regional Water Quality Control Board

Los Angeles Region



Dr. Alan Lloyd
*Secretary for
Environmental
Protection*

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Arnold Schwarzenegger
Governor

December 21, 2004

Honorable William J. Keese, Chairman and Presiding Member
California Energy Commission
1516 Ninth Street, Hearing Room A
Sacramento, CA 95814

EL SEGUNDO POWER REDEVELOPMENT PROJECT APPLICATION FOR CERTIFICATION, DOCKET NO. 00-AFC-14

Dear Mr. Keese:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) staff acknowledges the California Energy Commission (CEC) Revised Presiding Member Decision on the El Segundo power redevelopment project Application for Certification (AFC), dated November 23, 2004, and wishes to provide some brief comments.

The Regional Board mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations. More specifically, we regulate the intake and discharge of the El Segundo power plant, and other facilities in the Santa Monica Bay under the Porter-Cologne Water Act and the Federal Clean Water Act, and in particular, the recently adopted 316(b) Phase II Rule for intake of existing power plants.

As expressed in our previous communication on August 28, 2002, the Regional Board has no objection if the CEC elects to make additional factual and legal determinations on this issue pursuant to its responsibilities under the California Environmental Quality Act (CEQA) and the Warren-Alquist Act. In fact, we encourage the CEC to take appropriate actions, under its certification procedures, including investigation and mitigation of impacts, independent of the Regional Board NPDES permit renewal procedures and its implementation of the Phase II Rule.

Thank you for submitting this letter into the CEC Docket for this AFC proceeding. We look forward to our continued cooperation on power plants operating in Santa Monica Bay. If we can be of further assistance, please contact Dr. Tony Rizk at (213) 576-6756.

Sincerely,

Jonathan S. Bishop
Executive Officer

Cc: See mailing list

California Environmental Protection Agency



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MAILING LIST

Environmental Protection Agency, Region 9, Permits Branch (WTR-5)
U.S. Army Corps of Engineers
NOAA, National Marine Fisheries Service
Department of Interior, U.S. Fish and Wildlife Service
Mr. Mike Shultz, U.S. EPA
Mr. Jim Maughan, State Water Resources Control Board, Division of Water Quality
Mr. Michael Lauffer, State Water Resources Control Board, Office of Chief Counsel
Mr. William Paznokas, Department of Fish and Game, Region 5
Department of Health Services, Sanitary Engineering Section
California State Parks and Recreation
California Coastal Commission, South Coast Region
Mr. Tom Luster, California Coastal Commission
Mr. James Reede, California Energy Commission
Mr. Paul Richins, California Energy Commission
South Coast Air Quality Management District
Water Replenishment District of Southern California
Los Angeles County, Department of Public Works, Waste Management Division
Los Angeles County, Department of Health Services
Dr. Mark Gold, Heal the Bay
Santa Monica Baykeeper
Mr. Daniel Cooper, Lawyers for Clean Water
Mr. David Beckman, Natural Resources Defense Council
Ms. Marianne Yamaguchi, Santa Monica Bay Restoration Commission
Environment Now
Ms. Susan Damron, Los Angeles Department of Water and Power
Mr. Steve Maghy, AES Alamosa
Ms. Julie Babcock, Reliant Energy
Mr. Tim Hemig, NRG-Dynegy
Ms. Mary Jane Forster-Foley

